

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
STAFFING GLOBAL CORP.,

Plaintiff,

-against-

B2C2 USA Inc. and B2C2 Ltd.,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/3/2024

23 Civ. 3101 (AT) (RFT)

**ORDER ADOPTING
REPORT AND
RECOMMENDATION**

On April 13, 2023, Plaintiff, Staffing Global Corp., filed this action alleging state-law claims for breach of an oral agreement, breach of contract, and unjust enrichment. ECF No. 1. Plaintiff amended its complaint on October 3, 2023. ECF No. 25. Defendants, B2C2 USA Inc. and B2C2 Ltd., move to dismiss the case pursuant to Federal Rule of Civil Procedure 12(b)(6). ECF No. 38. On January 19, 2024, the Court referred the motion to a magistrate judge for a report and recommendation. ECF No. 39.

After careful consideration, Judge Robyn F. Tarnofsky issued a Report and Recommendation (the “R&R”), recommending that Defendants’ motion be granted without prejudice to Plaintiff’s filing of a second amended complaint for breaches of oral agreement and contract. R&R at 12, ECF No. 51. Despite notification of the right to object to the R&R, no objections were filed, and the time to do so has passed. *See* R&R at 12–13; Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R&R for clear error. *Santiago v. Colvin*, 12 Civ. 7052, 2014 WL 1092967, at *1 (S.D.N.Y. Mar. 17, 2014). The Court finds no clear error. Accordingly, the Court ADOPTS Judge Tarnofsky’s R&R in its entirety.

Defendants’ motion to dismiss is GRANTED. By **May 3, 2024**, Plaintiff may move for leave to file a second amended complaint addressing the deficiencies identified in the R&R. The Clerk of Court is directed to terminate the motion at ECF No. 38.

SO ORDERED.

Dated: April 3, 2024
New York, New York



ANALISA TORRES
United States District Judge